

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 1:08CR146
)	
PLAINTIFF)	JUDGE PETER C. ECONOMUS
)	
V.)	
)	
JERMAINE MITCHELL,)	MEMORANDUM OPINION
)	AND ORDER
DEFENDANT.)	
)	

This matter is before the Court upon Magistrate Judge George J. Limbert's Report and Recommendation that the Court ACCEPT Defendant Jermaine Mitchell's ("Defendant") plea of guilty and enter a finding of guilty against Defendant. (Dkt. # 18).

On March 27, 2008, the government filed an Indictment against Defendant. (Dkt. # 1). On July 24, 2008, this Court issued an order assigning this case to Magistrate Judge Limbert for the purpose of receiving Defendant's guilty plea. (Dkt. # 19).

On July 24, 2008, a hearing was held in which Defendant entered a plea of guilty to Counts 1 and 2 of the Indictment, distribution of crack cocaine, in violation of 21 U.S.C. §§841(a)(1) and (b)(1)(B). Magistrate Judge Limbert received Defendant's guilty plea and issued a Report and Recommendation ("R&R") recommending that this

Court accept the plea and enter a finding of guilty. (Dkt. # 18).

Neither party objected to the Magistrate Judge's R&R in the ten days after it was issued.

On *de novo* review of the record, the Magistrate Judge's R&R is adopted. The Defendant was found to be competent to enter a plea. The Defendant understood his constitutional rights. He is aware of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds that the plea was entered knowingly, intelligently, and voluntarily. The Defendant's plea of guilty is approved.

Therefore, the Defendant is adjudged guilty of Counts 1 and 2 in violation of 21 U.S.C. §§841(a)(1) and (b)(1)(B). The sentencing will be held on October 23, 2008, at 1:30 p.m.

IT IS SO ORDERED.

/s/ Peter C. Economus - August 7, 2008
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE